

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAMICHAEL BABCOCK,  
Plaintiff,

v.

JOHN DOE,  
Defendant.Case No. [24-cv-06490-RS](#) (PR)**ORDER OF DISMISSAL**

Plaintiff has not complied with the Clerk's Notices to file a complaint on this Court's form, and either pay the \$402.00 filing fee or file a complete application to proceed *in forma pauperis* (IFP). The IFP application is incomplete: it does not contain a prison trust account statement or a Certificate of Funds signed by an authorized prison officer. Accordingly, this federal civil rights action is DISMISSED (without prejudice) for failure to prosecute, *see* Federal Rule of Civil Procedure 41(b).

Because this dismissal is without prejudice, plaintiff may move to reopen the action. Any such motion must (i) have the words MOTION TO REOPEN written on the first page; (ii) be accompanied by a complaint on this Court's form, a copy of which was sent to him with the Clerk's Notice; and (iii) be accompanied by full payment for the \$402.00 filing fee or a complete IFP application, which includes the application form itself, a Certificate of Funds signed by an authorized prison officer, and a prison trust account statement showing transactions for the last six months. Copies of the relevant forms will be sent to him again. The Clerk shall terminate all pending motions, enter judgment in favor of defendant, and close the file.

**IT IS SO ORDERED.****Dated:** November 20, 2024  
RICHARD SEEBORG

Chief United States District Judge